Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No.4736/2005

PETITIONER

Shyam Bihari Mishra, S/o. Late Shri Prithwipal Mishra, Aged about 50 years, Occupation-Service (Head Master), Resident of Balenga, Distt.Bastar (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Tribal Welfare Department, D.K.S. Bhawan, Raipur.

2. The Commissioner, Tribal Welfare Department, Raipur Chhattisgarh.

3. The Assistant Commissioner, Tribal Development, Distt. Bastar (C.G.)

4. The Joint Director, Treasury & Accounts, Bastar Division, Bastar (C.G.)

5. The Assistant Director, Treasury, Accounts & Pension, Bastar (C.G.)

6. The Block Education Officer, Bastar, District Bastar (C.G.)

P.R. No. 4831/05 Presented by Shri O.P. Yadav dated 16/9/05

RECEIVED COPY 16.9.05 CLERK to A.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

89

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 4736 of 2005

Petitioner : Shyam Bihari Mishra

Versus

Respondents : State of Chhattisgarh & others

Shri Ashok Kumar Shukla, counsel for the petitioner.

Shri Satish Gupta, Deputy Government Advocate for the respondents/State.

ORAL ORDER

(22nd August, 2006)

1. Learned counsel appearing for the petitioner submits the petitioner was appointed as Lower Division Teacher on 1.3.1973 and had been working with the then Government of the undivided State of Madhya Pradesh.
2. The petitioner has obtained B.Ed Degree on 23.5.1994 (Annexure P/3) which entitled the petitioner for grant of two advance increments as per the circulars dated 24.12.1998 and 17.10.2003.
3. According to learned counsel for the petitioner, the case of the petitioner is squarely covered by the decision of this Court dated 3rd April, 2006 passed in W.P. No. 3977 of 2003 (Yashwant Kumar Bhardwaj Vs. Municipal Corporation, Durg & another) reported in 2006 (II) MPJR-CG 96. Learned counsel

appearing for the petitioner prays for the same relief in view of the decision of this Court.

4. Learned counsel appearing for the respondents in his frank and fair submission states that the present case is squarely covered by the decision of this Court in the case of Yashwant Kumar Bhardwaj Vs. Municipal Corporation, Durg & another (supra).

5. For the reasons stated-above, this petition is accordingly allowed and the petitioner is entitled to the payment of two advanced increments from the date of declaration of his B. Ed examination result i.e. 23.5.1994, within a period of three months from today. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu